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COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 21

RIGHTS OF THE CHILD

Written statement submitted by Pax Christi International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[5 April 1997]

1. Children are among the most vulnerable group of people. Thus, their rights have to be protected. The international instruments describing or referring to children's rights are numerous. The Universal Declaration of Human Rights defines the right to life in article 3. However, the most important document dealing with children's rights is the Convention on the Rights of the Child. Pax Christi supports the idea that children need an instrument for the protection of their rights, because they are often victims of abuses or violations of human rights.

2. Children require security and protection of their human rights because they are vulnerable and influenceable, but also because they are entitled to a normal development and childhood, as described in articles 6 and 27 of the Convention on the Rights of the Child.

3. Children involved in armed conflicts are among the most targeted group, since they are directly confronted with war and its effects. Indeed, they live a psychological, physical and social long-lasting trauma, in contradiction to the principles of article 19 of the Convention on the Rights of the Child. In this context, Ms. Graça Machel's report on the impact of armed conflict on children (A/51/306), indicates various aspects that require consideration when dealing with children in armed conflict. We strongly support the expert's recommendations: education and training are essential to achieve peace.

"War violates every right of the child - the right to life, the right to grow up in a family environment, the right to health, the right to survival and full development and the right to be nurtured and protected, among others. The injury to children - the physical wounds, the psychological distress, the sexual violence - is an affront to every humanitarian impulse that inspired the Convention on the Rights of the Child." (Ms. Machel in her address to the Commission on Human Rights at its fifty-third session).

4. UNICEF, in its anti-war agenda, also encourages the demobilization of child soliders as well as their rehabilitation and surveillance so as to prevent them from becoming violent and to heal the psychological wounds left by war. Child soldiers may also feel "powerful" when enthrusted with arms and responsibilities. We cannot tolerate that children, often under the age of 18, are involved in conflicts and, thereby, deprived of their right to development, their right to education and their right to life. We equally acknowledge that the recruitment of children into the armed forces must not become a usual practice and wish to express our support for the draft optional protocol to the Convention on the involvement and recruitment of children in armed conflict.

5. Moreover, many children suffer grave abuses of physical integrity. This is particularly the case for girls: they may be counted upon for support to their families and be induced into sexual exploitation or into performing practices affecting their health.

6. Landmines clearly violate the right to life of children, as described in article 6 of the Convention on the Rights of the Child. Children are unfortunately the main victims of anti-personnel landmines: they are the ones who play in areas that may be infested by mines. Not only do landmines maim innocent children (and long after the end of the conflict), but refugee and internally displaced children are particularly vulnerable to mines. They are not familiar with the areas where mines are laid. In Afghanistan and Angola, children are potential victims of landmines: thàt must stop. In Afghanistan, there are still 10 million mines, one mine for every two Afghans. Every day, 10 Afghans die because of mines, many of them children. In Angola, approximately 10 million mines lie in the ground. The cruelty of these weapons and the horrible consequences they generate are undeniable. We urge the Commission, along with other United Nations bodies, to encourage the signature of an international instrument prohibiting the manufacture, stockpiling, transfer and sale of landmines. We welcome the resolutions adopted by the Sub-Commission at its last two sessions calling for a total ban on the use, production, trade and stockpiling of landmines, and strongly urge the Commission to adopt a similar text. In this context, we express our support for the Ottawa process and we are looking forward to its achievements.

7. Article 32 of the Convention on the Rights of the Child describes the rights of the child to protection from "economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development". UNICEF has defined exploitive child labour according to the following criteria: full time or too many hours when the child is too young; work involving physical or psychological constraints;

work inducing life on the streets and providing too low wages; work affecting the dignity and self-respect of the child (such as slavery and sexual exploitation); and work impeding the social and/or psychological development of the child. In addition, UNICEF has described the negative effects of work on the child's physical, cognitive, psychological and social/moral development.

8. Furthermore, the International Labour Organization, in cooperation with UNICEF and other United Nations agencies, has launched the International Programme on the Elimination of Child Labour (IPEC). According to the ILO, there are more than 73 million children between the ages of 10 and 14 who are economically active; the highest levels of economically active children are in Bhutan, Mali, Burkina Faso, Nepal and Uganda. We wish to express our support for IPEC and for the ILO's continued efforts to eliminate child labour, with an emphasis on the most hazardous forms of child exploitation. We believe that education is part of the solution. We invite the Commission to consider the issues at stake.

9. We trust that the Commission will pursue its thorough study of the issues mentioned and we hope that the States Members of the United Nations that have not done so will sign and ratify the Convention on the Rights of the Child and incorporate its principles in their national policies and legislation.

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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Written statement submitted by the Movement against Racism and for Friendship among Peoples, a non-governmental organization on the Roster

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[11 April 1997]

Situation of women in the Islamic Republic of Iran

1. The third millennium is designated as the era of women's emancipation with hopes that gender discrimination would be minimized and ultimately eradicated. According to the documents of the Fourth World Conference on Women in Beijing, eliminating gender inequality is indispensable to advancement in such major issues as peace, development and democracy.

2. Today, religious fundamentalism is the most dangerous threat to the realization of women's equality. It thrives on the oppression of women and advocates and institutes gender discrimination. A prominent example of fundamentalist systems is the theocracy in Iran. Such an interpretation of religion has been rejected by most believers and described as a reactionary view of Islam.

3. Suppression of women and their elimination from social activities is the cornerstone of the Iranian regime. By doing so, the regime exerts control over all the society and suppresses all public protests before they break out in severe forms.

4. Being a woman in Iran has become a continuous agony and torture. A girl child feels this oppression from birth. The laws of the present regime allow the father to marry his daughter to anyone he desires when she turns 9.

5. According to the Special Representative, 1996 marked a year of tighter pressure and intensive clampdown on Iranian women as the general situation of human rights deteriorated. New laws adopted in 1996 legalized persecution and led to further isolation and segregation of women on the charge of improper veiling. Public places were raided in search of mal-veiled women and segregated in various Iranian cities. Movie theatres were segregated in Isfahan, central Iran (AFP, 23 February 1996). Following the segregation of buses, Tehran's mini-buses were also segregated. State officials announced that in this way the number of sins committed because of touching women will be 3.7 million times less per day.

6. Upon official warrant issued by the judiciary, the security forces staged a raid in Chitgar park in Tehran last May, attacking women who rode bicycles or played volleyball and badminton. They warned women that they will be tried and punished on the spot (AFP, 2 May 1996, and Salam newspaper, 12 May 1996). Subsequently, in many cities, including Ahwaz, women were confined to isolated and heavily guarded areas for recreational and sports activities (Tehran radio, 23 February 1996).

7. More restrictions were announced on women's dress (official Iranian press, 20 February 1996). Unlike previous years, when the arrest and punishment of women who did not fully observe the official dress code were intensified in the summertime in 1996, women were brutalized on the streets throughout the year. According to the representative of the Vali-e Faqih, Ali Khamenei, the Guards' Corps Bassij set up 280 bases in Tehran to "combat improper veiling and turn the violators over to the judicial authorities for punishment" (State-run Jomhouri Islami, 5 August 1996).

8. In light of greater restrictions imposed on women and their systematic repression in Iran, widely publicized Government-sponsored schemes, such as the appointment of a woman as mayor of a district in Tehran, are obviously in reaction to the role of women in the leadership of the democratic opposition which has attracted great attention throughout the country and worldwide. Twenty-five thousand people participated in a gathering in London on 20 June 1996, where Mrs. Maryam Rajavi, the Iranian Resistance's President-elect, spoke on the oppression of women and their plight in Iran. As a Muslim woman leading the anti-fundamentalist Resistance of the Iranian people she is the antithesis of Islamic fundamentalism. She, as a Muslim, has declared that the atrocities committed by the fundamentalist rulers of Iran have nothing to do with Islam.

9. MRAP and other human rights organizations have in the past emphasized various cases of maltreatment, humiliation and persecution of Iranian women, including 74 lashes of the whip for non-veiling, a ban on the employment of women is some jobs and educational fields and their travel abroad, and the law which sets the blood money for women and their inheritance rights at half of men's.

10. MRAP urges the Commission on Human Rights and the Special Representative on the situation of human rights in Iran to pay closer attention to the reality of the situation of women and their repression in Iran and not spare any effort to press the Iranian Government to take concrete and practical steps to eliminate gender discrimination and oppression of women in Iran.

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RIGHTS OF THE CHILD

Written statement submitted by the International Falcon Movement, a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[14 April 1997]

Situation of children in the Islamic Republic of Iran

1. The General Assembly, by its resolution 44/25 of 20 November 1989, adopted the Convention on the Rights of the Child. The Assembly expressed the hope that the Convention would enter into force as soon as possible. With the number of signatories having reached the necessary number, the Convention came into effect one year after its approval. The number of countries, which have signed this treaty so far has reached 186.

2. The approval and entry into force of this Convention without doubt is one of the great achievements of the international community for the promotion of children's rights. Despite this measure, after seven years, the conditions of children in many of the State parties are far from meeting the recognized standards. Children are still the main victims of poverty, economic exploitation, prostitution, sexual exploitation, military conflicts and many more international disasters. Therefore it is important that the efforts of

each State party to implement the Convention to defend children in its country, and in the rest of the world, should be examined seriously. The Committee on the Rights of the Child could publish a balance sheet based on the initial report of each State party to show the current obstacles in the implementation of the Convention.

3. Since the fifty-third session of the Commission on Human Rights is considering the situation of children in the context of item 21, the International Falcon Movement, as a non-governmental organization for the defence of children's rights, recognizes the necessity of bringing the situation of children in the Islamic Republic of Iran, as a State party, to the attention of the Commission.

4. Historically, the case of the Iranian regime is a sad reminder of the wave of children used for clearing the minefields during the eight-year war with Iraq. Khomeini, the leader of the regime, promised paradise to these children after their death. During those years, thousands of Iranian children became the victims of this policy and one of the longest military conflicts in the Middle East. Part of this loss has been confirmed by officials and reflected in the official media. Kayhan newspaper, in its issue of 20 July 1987, quoted the Education Ministry as saying that in 1986 alone, 120,000 students had been dispatched to the war fronts. The newspaper added that during the year more than 2,000,000 spare parts for mortars had been made by children. Creation of a post known as "Deputy of War Affairs in the Education Ministry", shows precisely how the Islamic Republic systematically used the children in a military conflict. Another newspaper called Islamic Republic in its 29 September 1988 issue quoted the same official as saying that during the eight-year war, 90 per cent of the strike forces on the fronts were made up of schoolchildren. Regarding the mortality rate of children during these years, Abrar newspaper on 4 July 1995 quoted the Governor of Maazandaran province as saying that among those students sent to the fronts from the province, 16,000 were killed and 45,000 injured. Of course, we have to notice that Iranian officials have always refrained from giving an accurate number of the losses in this fatal war. It must also be mentioned that Iranian officials have always refrained from publishing the real figures of the war casualties and have tried to minimize them.

5. If this disastrous policy belonged only to the past and there was no serious sign of its continuation in the Islamic Republic of Iran, perhaps the subject could then be consigned to the history books. But the reality is that the training and use of children in a paramilitary organization called "Bassij", with the aim of their participation in military conflicts, is part of the permanent policy of the regime. State-run media continuously give news and information in this regard. Etellat newspaper, in its issue dated 3 August 1995, said that "The third gathering of Bassiji's students finished its work yesterday and quoted Brigadier Afshar, commander of the "Bassij Resistance Force", as saying that "so far 1,750,000 Bassiji students in 16,200 secondary and high schools have been organized in the form of combat groups". Salam newspaper in its 24 September 1995 issue said that 1,631,862 Iranian pupils were members of pupils' Bassij. This kind of policy is in conflict with the Convention on the Rights of the Child and other international human rights conventions.

6. Commission resolution 1995/83, which was adopted without a vote, recognized the right to conscientious objection to military service for every citizen. Article 18 of the Universal Declaration of Human Rights and article 18 of the International Covenant on Civil and Political Rights also recognize this right. Obviously, exercising this right, that is to decide whether to decide to kill and participate in training with this aim, requires a certain level of development. Iranian children, who are being trained in the form of combat groups, are unable to exercise this right. The international community must ask the Iranian regime to stop this violation of children's rights.

7. Sexual exploitation of little girls was officially legitimized by the establishment of the Islamic Republic of Iran. Article 1041 of the Civil Law, puts the age at which girls can marry, marriage before this age is possible with the permission of her "guardian". According to article 1210 of this law, the age of puberty for girls is nine lunar years (equivalent eight years and nine months). This kind of legislation and the acceptance of polygamy in the Iranian laws, only pave the way for the sexual exploitation of little children. This too is in conflict with the spirit of the Convention.

8. By resolution 1993/79, the Commission approved the Programme of Action for the Elimination of the Exploitation of Child Labour and asked the States Members of the United Nations, as a priority, to take the necessary legislative and administrative measures to implement the Programme of Action nationally and internationally and to report to the Sub-Commission thereon. The Sub-Commission in its resolution 1995/16, requested the Secretary-General to invite Member States to report on the measures taken in this regard.

9. The International Falcon Movement is concerned to know about the measures taken by the Islamic Republic of Iran. The reality is that child labour in Iran, especially with the social poverty that the country is facing, is a growing phenomenon. Hamshahri newspaper wrote on 6 January 1996: "although those under 15 years should not be forced to work, more than 266,000 youngsters are working in different fields."

10. If the prevailing general atmosphere of suppression and human rights violations are added to the above-mentioned points, the horrific violation of children's rights can be better understood. One example was the report of the Washington Post on 22 November 1996: "Some of the 6 to 11-year-old girls had been put in jail accused by the regime of 'corruption' or living in the streets. Some of them had been abandoned in the streets by their families. When the officials of the regime were questioned about their situation they were not able to find any files whereas, according to Iranian law, a girl who is 9 can be put on trial like a mature person and can be punished accordingly."

11. It is necessary that the United Nations bodies give priority to the prevailing situation in Iran.

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HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Written statement submitted by the Council for International Organizations of Medical Sciences, a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[15 April 1997]

Human rights and bioethics

1. The Council for International Organizations of Medical Sciences (CIOMS) was invited in 1996 by the World Health Organization (WHO) to participate in the preparation of its Global Health Policy for the twenty-first century, in respect particularly of the ethical content of the policy. WHO will submit this policy and a Global Health Charter to the World Health Assembly in May 1998.

2. CIOMS formed an international Ethics Advisory Committee to assist in identifying and elaborating on the ethical implications of the Policy. The Committee met in September 1996 and drew up an agenda for a conference entitled "Ethics, Equity and the Renewal of WHO's Health-for-All Strategy", which was convened in Geneva on 12-14 March 1997, co-hosted by WHO and CIOMS. The outcome of the conference has been communicated to the Director-General of WHO.

3. One outcome of the conference was an action plan for a CIOMS-WHO Initiative on Ethics, Equity and Health for All. The plan draws attention to the fact that the Declaration of Almaty in 1978 identified equity, human

rights and social justice as essential elements for achieving health for all. The impediments to the pursuit of health for all have included violations of human rights. A global health policy centred on equity, including commitment to health as a human right, is necessary to the achievement of health for all.

4. Among a number of needs for action, the conference specified that knowledge and application of human rights instruments by health professionals should be refined and strengthened; that the extent and the causes of inequities in health should be studied, documented and constantly updated at global, national and local levels; that the promotion of equity and human rights in health policy and practice needs to be supported consistently by practical training in ethics and human rights in relation to health, at all stages of the education and training of all health workers; that administrators and faculty members of medical and nursing schools and schools of public health need training in the applications to health of ethics and human rights; and that the public be well informed about equity and human rights in relation to health and the exercise of responsibility in health protection.

5. Principles for action included priority to the involvement of countries and groups that are under-represented in ethics and human rights deliberations, with particular emphasis on the participation of women, and including victims of inequity in health and of abuse and neglect of human rights; and to undertake long-term efforts to incorporate ethical practice and respect for human rights in the applications of science and technology to health policy and practice.

6. The conference supported a proposal to organize an international forum to advance equity in global health as a particular application of ethics and human rights.

7. Suggested areas of action to ensure that ethics and human rights are integral to policy and action for global health included: 1. Clarify the concepts of ethics and human rights in health and institutionalize the capacity of ministries of health to operationalize them; 2. Develop means of designing and implementing an integrated mechanism for systematic vigilance of inequities in health and abuses or neglect of human rights; 3. With human rights groups, develop a means of ensuring that health policy makers, administrators, health workers and the public are fully and regularly informed of the content and implications for their work of human rights instruments; and 4. Prepare working definitions of such key terms as "ethics" "equity", "solidarity", and "human rights", to take account of international, intersectoral and cultural diversity.

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HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Written statement submitted by Liberation, a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[15 April 1997]

1. Referring to decision 1996/110 of the forty-eighth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which defines the framework that has to be adopted for the preparation of a working paper on "Human rights and scientific and technological developments", our organization respectfully requests this Commission to note our comments.

2. As far back as human memory goes, man's history is about transcending the limits of knowledge. At times and in many societies, knowledge meant the conquest of the human soul, resulting in the most elaborated forms of spirituality, all based on the unique and extraordinary value of human life and its environment. But in most societies, conquest merely meant territorial invasions and struggles for power. Beginning with the invention of the stirrup and the wheel, advances in military technology have had negative influences on man's behaviour.

3. The decision cited above says that "everyone has the right to enjoy the benefits of scientific progress and its applications ..."; it is principally meant to caution against their adverse consequences for the integrity, dignity and human rights of the individual. However, we fear that major implications of the adverse consequences of scientific and technological progress might not be fully explored by considering only the "advances in biomedical and life sciences as well as in information technology". Indeed, we feel that the fate

of individuals' rights, obligations and welfare would be passed over if significant advances in a wide range of technologies, including warfare technologies and nuclear and counter-nuclear sciences, are not taken into consideration under this item.

4. As individuals, it seems taken for granted that if we are given the illusion of living in democracies, if we are given the illusion that the right to comfort and easy access to knowledge are birthrights in privileged societies, there is no more to ask for. On the other hand, we surely live in a neo-colonial era and it seems taken for granted that the birthright of millions of people is to struggle, suffer, be morally or physically tortured or to die in relentless conflicts.

5. During the cold war, advances in warfare sciences and in nuclear technologies brought about a questionable peace among the superpowers. Questionable, when one reflects on the millions of individuals who underwent tremendous suffering in ideological and strategic, high- and low-intensity conflicts, in sub-zones born of a polarized policy. To cite only a few, it will take generations for the people of Korea, Viet Nam, Afghanistan, Angola, Nicaragua, Mozambique and others not only to heal the scars but also to reshape their place and role in the world.

6. In the post-cold war era, the strategy adopted during the Gulf war demonstrated the will, capability and spheres of economic, military and political influence of Western powers, fast reaching a consensus with the five permanent Members of the United Nations. It is an open secret that the most advanced technologies were tested in the course of the Gulf war and in Bosnia in the 1990s. Is there any honest public account of the results of these tests on the health, environment and economies in these regions and beyond, affecting a good portion of the world's population for many years to come?

7. Are not the embargoes on Cuba and Iraq an immediate consequence of these countries' defence strategy and alliances? It would all be fine if it were not the entire populations of Iraq and Cuba who were paying the price.

8. With the fall of the former Soviet bloc, ideology has little to do with post-cold war policies. It is rather economic blocs that take shape these days, with new potential partners, or ambitious powers such as China, appearing on the scene.

9. If at some stage a reduction in the arms industry could have been hoped for, no substitute was found to replace this sector which provides the double advantage of high incomes and obliging partners. As a consequence, in the late 1990s, arms sales are on the rise again. For example, arms sales to the Gulf countries reached a peak in 1990, when Iraq invaded Kuwait, with the signing of a $36 billion contract. It was again rising in the post-war period (with a $14.7 billion buying contract) and was reduced to $1.7 billion in 1996. Now, there is a $6 billion deal to be grasped with the Gulf nations, the world's biggest customer for high-technology arms. As defence policies gradually re-emerge as a top priority on the geopolitical agenda of world leaders, where do we draw the line between economy, defence and the universal value of the right to life of millions of individuals who appear as no more than grey areas on the world's map?

10. If the proposed expansion of NATO intends to secure peace in a wide range of countries, an antagonistic bloc policy seems to be gradually reshaping. To illustrate this, START II and III, treaties between the former superpowers to speed up cuts in long-range nuclear arms, languish in the Russian parliament, which sees them as an effort on the part of the West to gain strategic superiority.

11. On the other hand, while the administrations of powerfully equipped countries have and continue to use arms exports as an instrument of foreign policy, many poor countries already have huge stocks of weapons, spend enormous portions of their budgets on defence and show signs of difficulty in absorbing and using what they have bought. Civil and regional wars then become unavoidable, as witnessed on the African continent.

12. We could go into lengthy details on the consequences, at all levels of individuals' lives, of the latest revolution based on information technology as applicable to weapons and in warfare tactics, including reactionary programmes and attitudes that could be evolved by weaker regions and countries such as wider deployment of ballistic missiles, biological weapons or terrorism. This paper is only meant, however, to draw the attention of the Commission to the content of the proposed working paper.

13. It appears that the sciences and technologies that are reaching the public and are meant to improve individuals' lives are only the tip of the iceberg. The problem posed here is that, with today's technological progress, individuals in privileged societies are given the illusion that they are the beneficiaries; in the non-industrialized world, individuals struggle between their day-to-day survival and the challenges imposed by neo-colonialist policies.

14. Moreover, people throughout the world are less and less the immediate actors at the centre of deep changes occurring in their own lives, their micro-environment and the world in general. Compared to a few decades ago, the difference today is perhaps that in the process of globalization and implementation of the New World Order policies, the powers regulating individuals' lives are progressively losing touch with the essential demands and needs of individuals.

15. It is availability of usable resources, justice and a cultural identity, that give a common code of conduct to a society and security for long-term peace that are essential to guarantee the integrity, dignity and human rights of the individual.

16. And as an eminent African diplomat said in October 1996, "Peace is first of all a question of prevention of conflicts, prevention of their aggravation or of their extension."